

REMARKS

Claims 75-102 are pending. Claim 75 tracks prior Claim 18 and finds support in original Claim 1 and on page 2 of the specification. The hybridization conditions described in part (c) of this claim find support in the specification on page 7, line 24-et seq. The percent identity described in part (d) is described on page 8, first paragraph, of the specification. Claims 76-86 also find support as indicated above for Claim 75. Claim 87 tracks prior Claim 54 and finds support on page 3, lines 10-14 of the specification. Claims 88-90 track limitations in prior Claim 38 and find support in the specification at page 2, lines 10-12 and page 13, line 32-et seq. Claims 91-92 (vectors) find support in original Claim 5 and on pages 9-10 of the specification. Claims 93-98 (host cells) find support in original Claim 6 and in the specification on pages 9-10, see e.g., lines 23-35 of page 9. Claim 99 finds support in original Claim 7. Claims 100 and 101 track Claims 35 and 47 and find support in original Claims 11, 12 and 17. Claim 102 finds support in the specification at page 19, lines 19-21. Accordingly, the Applicants do not believe that any new matter has been added. Favorable consideration and allowance of this application is now respectfully requested.

The Applicants thank Examiner Wax for the helpful suggestions and comments for placing this application in condition for allowance. As suggested, the independent claim has been revised to more clearly describe the polynucleotides, redundant language or claims removed, various terms have been replaced with clearer terminology and the claim set has been reorganized for continuity. Moreover, claims covering non-rejoinable subject matter have been cancelled without prejudice. As requested these proposed amendments are being submitted by this Supplemental Amendment.

Restriction/Election

The Restriction Requirement has now been made FINAL. The non-elected claims have been revised to facilitate possible rejoinder and the Applicants respectfully request that method of use claims which depend from or otherwise include all the limitations of elected product claims be rejoined upon an indication of allowability for the elected polynucleotide claims.

Arguments

The Applicants reiterate their earlier arguments in response to the final Official Action and submit that in view of the amendments above that this application is now in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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